

**From:** [Sivak, Michael](#)  
**To:** [Mishkin, Katherine](#); [Metz, Chloe](#)  
**Subject:** RE: Another delineation question...  
**Date:** Thursday, June 04, 2015 9:56:00 AM

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Katie,

Who from the state was at the meeting and pushing this?

Michael Sivak

212.637.4310

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**From:** Mishkin, Katherine  
**Sent:** Wednesday, June 03, 2015 4:23 PM  
**To:** Sivak, Michael; Metz, Chloe  
**Subject:** Another delineation question...

Chloe and Michael,

Meeting with the state on Rolling Knolls was interesting...

They continue to say we have to delineate to impact to groundwater, although I reminded them that we are delineating to ARARs (residential direct impact for soil, eco for sediment, and NJDEP MCLs for groundwater). However, they cited the New Jersey tech regs ([http://www.nj.gov/dep/rules/rules/njac7\\_26e.pdf](http://www.nj.gov/dep/rules/rules/njac7_26e.pdf)) and specifically the section I've pasted below. I've highlighted the specific portions of the section the state referred to during the meeting. #1 pertains to saturated and unsaturated soil within the property boundary and that it should be delineated to residential direct contact (which we are doing) and #3 pertains to only the unsaturated soil without regard to a property boundary and says delineation should be to the impact to groundwater value.

Have you seen delineation to IGW numbers at any site? I would think this would ultimately be a management call, but wanted to let you know that the state seemed to feel pretty strongly about it and said that we should follow their guidance. I wasn't familiar with this specific document until now.

Remedial investigation of soil

(a) The person responsible for conducting the remediation shall conduct a remedial investigation of contaminated soil as follows:

**1. Within the property boundary:**

**i. Delineate the horizontal and vertical extent of all soil contamination that is associated with a site-related area of concern in both the saturated and unsaturated soil to:**

**(1) The residential direct contact soil remediation standard; or**

**(2) The non-residential direct contact soil remediation standard if a remedial action will be implemented that will appropriately restrict the use of the entire property and the property owner has agreed to place a deed notice and engineering controls, as appropriate, on the property; or**

**ii. If the property owner has agreed to restrict the use of the entire property and to place a deed notice and an engineering control on the entire property, then delineation of the horizontal and vertical extent of all soil contamination associated with a site-related area of concern to a direct contact soil remediation standard is not required provided the requirements of (a)2 through 5 below are met;**

**2. Outside the property boundary, delineate the horizontal and vertical extent of all soil contamination associated with a site-related area of concern in both the saturated and unsaturated soil to the residential direct contact soil remediation standard;**

**3. For soil contamination associated with a site-related area of concern, delineate the horizontal and vertical extent of all soil contamination in the unsaturated zone which contains**

contaminants above the impact to ground water soil remediation standard without regard to the property boundary;

4. Delineate the horizontal and vertical extent of free product and residual product in both the saturated and unsaturated zones without regard to the property boundary; and  
Katie

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Katherine Ryan Mishkin

Geologist

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